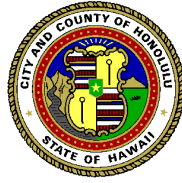


HONOLULU FIRE COMMISSION  
**CITY AND COUNTY OF HONOLULU**

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MAYOR



JAMES S. WATARU  
CHAIR

STEFANIE LEE  
VICE CHAIR

DR. JOSEPH W.C. YOUNG

MAX HANNEMANN

CHARLOTTE NEKOTA

WILLIAM HONG

Minutes of Regular Public Meeting  
Honolulu Fire Department Headquarters  
Honolulu Fire Department Auditorium  
Wednesday, June 13, 2018

CALL TO ORDER: Chair Wataru called the regular meeting to order at 12:04 p.m.

MEMBERS PRESENT: James Wataru, Stefanie Lee, Dr. Joseph Young, Max Hannemann, Charlotte Nekota, and William Hong.

IN ATTENDANCE: Fire Chief Manuel Neves (HFD), Deputy Fire Chief Lionel Camara Jr. (HFD), Assistant Fire Chief Ron Rico (HFD), Chief Socrates Bratakos (HFD), Assistant Fire Chief Nathan Ramos (HFD), Battalion Chief Jeff Hooker (HFD), Battalion Chief Wayne Masuda (HFD), Battalion Chief John Bowers (HFD), Battalion Chief Damien Kahaulelio (HFD), Battalion Chief Darryl Evangelista (HFD), Battalion Chief Paul Kato (HFD), Battalion Chief Jeff Sanchez (HFD), Battalion Chief John Pacheco (HFD), Battalion Chief Jason Samala (HFD), Battalion Chief Craig Uchimura (HFD), Battalion Chief David Morgan (HFD), Battalion Chief Mark Nakagawa (HFD), Battalion Chief Bryan Soaros (HFD), Battalion Chief Jarin Wong (HFD), Battalion Chief Kenneth Tenn (HFD), Battalion Chief Reid Yoshida (HFD), Battalion Chief Kevin Mokulehua (HFD), Battalion Chief Scot Seguirant (HFD), Chris Powell (HFFA), Aaron Lenchanko (HFFA), Frank Johnson (HFFA), Jolyn Garidan Prieto (HFFA), Brian Ancheta (Corporation Counsel) and Nadine Murata.

II. PUBLIC TESTIMONY:

Chair Wataru asked if there was anyone from the public who wished to give public testimony. Mr. Aaron Lenchanko, (HFFA) introduced himself and handouts were passed out to the Commission by Ms. Jolyn Garidan Prieto (HFFA). Mr. Lenchanko went over the settlement agreement with the Commission and mentioned that HFFA and the City's Department of Human Resources (DHR) worked together in drafting the settlement agreement in May 2018.

Mr. Lenchanko indicated that 39 individuals would be promoted to Captains and 19 individuals will be promoted off the old list.

Mr. Lenchanko mentioned promotions for Fire Fighter III's and that 20 individuals would be promoted off of the old list and the remaining vacancies from the new list.

Mr. Lenchanko mentioned that this issue could have been settled with just a phone call.

Mr. Lenchanko thanked Chief Rico and Chief Camara for assisting with the settlement.

Mr. Lenchanko went over the Hawaii Labor Relations Board (HLRB) handout, the Final Order Adopting HFFA/IFFA Proposed Findings of Fact, Conclusions of Law, and Decision and Order; and Order Setting Deadlines Regarding Any Request for Attorney's Fees and Costs, dated June 8, 2018 (the "Final Order"). Mr. Lenchanko highlighted a footnote on page 5: "In issuing Board Order No. 3212 in the consolidated cases 14-CE-11-845 and 16-CE-11-887, the Board finds that in both cases the HFFA/IFFA was the prevailing party."

Mr. Lenchanko mentioned that there was no "half win" with HFD, as was asserted previously.

Mr. Lenchanko read the "Order" on page 13 and the definition of "willful" on page 12, second paragraph from the bottom, to the Commission, and noted that the Board found the Respondents' actions to be willful.

Mr. Lenchanko mentioned that attorney's would probably be a six-figure total.

Mr. Lenchanko went over Bargaining Unite 11 Employer Counter Proposal #1, dated May 22, 2018 with the Commission, specifically regarding informational and educational meetings. The proposed new language states that HFFA will provide written notice to HFD or its representative at least 3 calendar days before the meeting "and shall include the specific dates, times and places of each meeting and may be conducted at fire stations and department work sites, if operations permit."

Chair Wataru asked if there was anyone else from the public who wished to give public testimony. There was none.

Fire Chief Neves asked Chair Wataru if he could clarify some statements.

Chair Wataru answered, "Yes".

Fire Chief Neves went over the settlement agreement and indicated that promotion is based upon merit, ability and work performance.

Fire Chief Neves explained to the Commission that the department had no knowledge that a settlement agreement was being worked on until the department received it.

Fire Chief Neves indicated that he did not disregard the settlement agreement, rather that the settlement agreement was confusing and had flaws and that certain changes were done orally.

Fire Chief Neves met with DHR Director Carolee Kubo and asked her how the department can move forward.

Per Fire Chief Neves, Ms. Kubo indicated that she would go to HFFA to discuss HFD's concerns and finalize the agreement.

Fire Chief Neves said he asked Ms. Kubo how the department would implement the agreement.

Fire Chief Neves mentioned both Chief Rico and Chief Camara attended the meeting to resolve issues and make sure that there was clarity in the implementation of the agreement.

Fire Chief Neves stated that the department called 39 newly promoted Captains and the department is currently working on their assignments.

Fire Chief Neves went over the HLRB minute order and indicated that the department was not clear about this document previously.

Fire Chief Neves acknowledged that it wasn't a department win and indicated that the department had met with the City, and the City has so many days to make a decision to pursue or not.

Fire Chief Neves explained negotiations and take away to the Commission. Fire Chief Neves mentioned that their contract is based upon 4 Counties and the State which is known as a 5 employer group.

Chief Bratakos mentioned that the Human Resource Directors of the State and Counties are the leads to the negotiations known as "employer" and not any of the Fire Chiefs in the 4 Counties.

Fire Chief Neves mentioned that all proposals are passed from all employer groups.

### III. PRIVATE CITIZEN/PUBLIC COMPLAINT:

Chair Wataru informed Fire Chief Neves that the Commission had received a complaint from Mr. Franco Ilariucci in regards to a suicide attempt at Homeland Security on July 9, 2017, and the complainant had alleged HFD and EMS cover-up.

Chair Wataru asked Fire Chief Neves if the department had received a copy of this information. Fire Chief Neves answered, "No".

Chair Wataru indicated a copy will be sent to the department and the Commission will not seek action at this time until the department reviews.

#### IV. ELECTION OF THE CHAIR:

Chair Wataru indicated that this Agenda item will be deferred as he would like to have the full Commission present to vote.

V. APPROVAL OF THE MINUTES OF APRIL 17, 2018: Chair Wataru called for any comments or corrections to the minutes of the regular public meeting of April 17, 2018. There being no further comments or corrections the minutes were approved as circulated.

VI. APPROVAL OF THE EXECUTIVE SESSION MINUTES OF APRIL 17, 2018: Chair Wataru called for any comments or corrections to the executive session minutes of April 17, 2018. There being no further comments or corrections the minutes were approved as circulated.

VII. REPORT OF THE FIRE CHIEF: Fire Chief Neves passed out his monthly reports for April and May 2018 and highlighted the following:

1. Assets High School Mentorship Expo (April 2018). Fire Chief Neves indicated a student was brought into the department's operations office for mentoring and at the end of his internship, he had presented a PowerPoint presentation to his class.

Fire Chief Neves indicated that the department has a Fire Explorer program that meets at the East Kapolei fire station one Saturday a month.

2. Honolulu Police Department Gold Standard Assessment (April 2018). Fire Chief Neves mentioned that he was interviewed by an assessment group regarding HFD's relationship with HPD and other first responders.
3. Society of Fire Protection Engineers' 12<sup>th</sup> International (April 2018). Fire Chief Neves mentioned that this was a society of fire protection engineers that came from all over the world. The conference was held at the Hilton Hawaiian Village with over 300 delegates (many of whom came from Europe) and noted that they were interested in the Marco Polo incident. Fire Chief Neves indicated that the fire protection engineers are the ones who design the appliances within a building.
4. 2018 Metropolitan Fire Chiefs Conference (May 2018). Fire Chief Neves attended the conference and mentioned that the struggles and issues regarding a fire fighters physical, mental, and work wellness are similar to Hawaii.

Fire Chief Neves also mentioned that managing fire fighter fatigue is a new issue that they are trying to capture data regarding how many and types of alarms fire fighters go to, and the rest periods needed to recover from such work.

Fire Chief Neves went over opio crisis and cancer in fire fighters. Fire Chief Neves mentioned that there is a bill waiting to be signed by Governor from the State Fire

Council which is made up of the 4 counties' Fire Chiefs, which will help fire fighters work their way through the workers compensation process to get reimbursements for cancer treatment.

5. Executive Chief Officers Retreat (May 2018). Fire Chief Neves mentioned that 30 Chief officers and 6 civilian managers went on a half-day retreat and talked about the new impending strategic plan and the vision of moving forward. Fire Chief Neves mentioned that Ms. Constance Lau, President and CEO of Hawaiian Electric Industries, was the keynote speaker at the retreat.
6. Media Release and Signing of Bill 69 (May 2018). Fire Chief Neves mentioned that the bill was signed at the Marco Polo and the Board of Directors of the Marco Polo has decided to install sprinklers within their building at a reasonable cost.
7. National Police Week Procession at the State Capitol (May 2018). Fire Chief Neves mentioned that the department had attended events during Police week.

The Fire Chief also reported on the following:

1. During the month of April, HFD received 4 complimentary correspondences, and no complaints and during the month of May, HFD received 2 complimentary correspondences, and no complaints.
2. Fire Chief Neves mentioned that he had received an email from the Ethics Commission regarding the interference of the 2014 election and asked Chair Wataru if he got a copy of their findings. Chair Wataru answered, "No". Fire Chief Neves noted that copies will be sent out to the Commission, and Fire Chief Neves noted that the Ethics Commission had made a determination that there was no interference regarding the election and that the Fire Chief was doing his job and no re-consideration would be conducted.
3. Fire Chief Neves asked Chair Wataru for future reference, how the Commission would like to handle complaints. Chair Wataru indicated that he would like to see the complaint and it can then be discussed in executive session. Chief Neves also noted that the department receives complaints regarding off-duty personnel and if that's something the Commission would also like to see. Chair Wataru indicated that the Commission is not interested in non-work related issues. Chair Wataru informed Fire Chief Neves that discussion on future complaints can be discussed at a later time.
4. Fire Chief Neves mentioned that there is a promotional ceremony for 5 Battalion Chiefs at 11 a.m. on Thursday, June 14.
5. Fire Chief Neves had each member of the executive staff give a brief description of their section's recent activities.

Deputy Fire Chief Lionel Camara Jr.- Chief Camara gave the Commission an update on the FY 2019 budget and mentioned that there was an increase from FY18 in operating budget of \$9,996,700.00, including \$7.5 million for salary and \$2 million for current expense and \$231,000.00 for operating equipment expenses.

Chief Camara mentioned that salary includes a Rescue 3 which will be on the Windward side, and noted that the last time there was a rescue team was in 1964.

Chief Camara went over the CIP bulk fund had mentioned an increase from 2 million to 4 million dollars and noted that there is funding for another engine and 2 aerial ladders.

Fire Chief Neves explained that repairs to fire stations come out of the bulk fund, and the money is needed since HFD facilities provide 24 hour service.

Assistant Fire Chief Socrates Bratakos- Support Services. Chief Bratakos went over Bill 69 (2017) and accompanying Bills 101(2017) and 102 (2017). Bill 69 became Ordinance No. 18-14, which was signed into law by the Mayor on May 3, 2018.

Chief Bratakos explained how the residential safety advisory committee formed and how they developed the code and life safety evaluation.

Chief Bratakos noted that a Permitted Interaction Group (PIG) was formed and public meeting were held at various locations to get feedbacks from the public.

Chief Bratakos mentioned that 360 high-rises buildings that do not have sprinklers must be evaluated and undergo safety evaluations by licensed engineers within 3 years and comply within 6 years.

Chief Bratakos mentioned that there is also an opt-out option. Some buildings are exempt if they have exterior walkways, are under 10 stories with the exception of installing fire alarms, solid core doors, exit and stairwells, and standpipes that are operational.

Chief Bratakos mentioned that permit fees are waived if there is an installation of sprinklers and there will be a \$2,000 property tax refund.

Chief Bratakos noted that the department is working closely with the City's Department of Planning and Permitting (DPP) and is willing to answer any questions and educate residents on fire safety.

#### VIII. EXECUTIVE SESSION- Annual Evaluation of the Fire Chief.

Commissioner Hong moved and Commissioner Nekota seconded that the Commission go into executive session regarding the evaluation of the Fire Chief "to consider the hire, evaluation, dismissal, or discipline of an officer or employer or employee where consideration of matters

affecting privacy will be involved” [HRS Sec. 92-5(a)(2)], and to “consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities” with regard to these matters [HRS Sec. 92-5(a)(4)]. The Commission went into Executive Session at 12:46 p.m. and the regular public meeting reconvened at 2:20 p.m.

#### IV. ELECTION OF CHAIR.

The members of the Commission shall “elect annually ..... a Chair to serve for the ensuing year, or until a successor shall be elected” [Rules of the Honolulu Fire Commission, Rule 3.3]. Commissioner Wataru asked the Commission for nominations for Chair. Commissioner Nekota nominated Commissioner Wataru, and Vice-Chair Lee seconded. By unanimous vote of the Commission, Commissioner Wataru was re-elected as Chair.

Commissioner Hong excused himself at 2:24 p.m.

#### VIII. EXECUTIVE SESSION- Annual Evaluation of the Fire Chief.

Commissioner Nekota moved and Commissioner Lee seconded that the Commission go into executive session regarding the evaluation of the Fire Chief “to consider the hire, evaluation, dismissal, or discipline of an officer or employer or employee where consideration of matters affecting privacy will be involved” [HRS Sec. 92-5(a)(2)], and to “consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities” with regard to these matters [HRS Sec. 92-5(a)(4)]. The Commission went into Executive Session at 2:25 p.m. and the regular public meeting reconvened at 2:35 p.m.

IX. ANNOUNCEMENT: The next Commission meeting will be held on Wednesday, July 18, 2018, at 2 p.m. in the Honolulu Fire Department Auditorium.

X. ADJOURNMENT: There being no other business the meeting was adjourned at 12:25 p.m.

Respectfully submitted by: Nadine Murata, Secretary.

APPROVED:

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JAMES WATARU, Chair